

*JP*

PATENT

Case Docket No. MTHINK.002A

Date: February 15, 2005

**TRANSMITTAL LETTER**

Applicant : Gregory P. Olmstead  
App. No : 10/759,980  
Filed : January 16, 2004  
For : PROCESS FOR RECORDING,  
STORING, AND DISPLAYING  
DISCRETE TRIAL DATA  
Art Unit : 3714

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 15, 2005

(Date)

*Gregory A. Hermanson*  
Gregory A. Hermanson, Reg. No. 53,018

**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Dear Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) A Power of Attorney and copy of Assignment.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.
- (X) Return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment, to Account No. 11-1410.

*Gregory A. Hermanson*  
Gregory A. Hermanson  
Registration No. 53,018  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

MTHINK.002A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Gregory P. Olmstead )  
App. No. : 10/759,980 )  
Filed : January 16, 2004 )  
For : PROCESS FOR RECORDING, )  
STORING, AND DISPLAYING )  
DISCRETE TRIAL DATA )  
Examiner : Unassigned )

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ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer

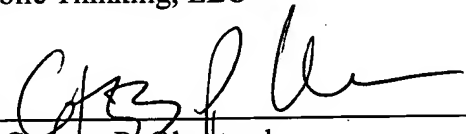
App. No. : 10/759,980  
Filed : January 16, 2004

No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Mobile Thinking, LLC

Dated: 5 October 2004

By:   
Gregory P. Olmstead

Title: President, Mobile Thinking, LLC

Address: 4019 Goldfinch Street, #115  
San Diego, CA 92103

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**COPY**  
**DO NOT RECORD**

Application No.: 10/759,980  
Filing Date: January 16, 2004

PATENT  
Client Code: MTHINK.002A  
Page 1

**ASSIGNMENT**

WHEREAS, I, Gregory P. Olmstead, a U.S. citizen, residing at 4072 St. James Place, San Diego, CA 92103, have invented certain new and useful improvements in a PROCESS FOR RECORDING, STORING, AND DISPLAYING DISCRETE TRIAL DATA for which I have filed an application for Letters Patent in the United States, 10/759,980, filed January 16, 2004;

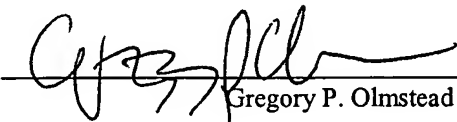
AND WHEREAS, Mobile Thinking, LLC (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 4019 Goldfinch Street, #115, San Diego, CA 92103, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 5<sup>th</sup> day of October, 2004.

  
\_\_\_\_\_  
Gregory P. Olmstead

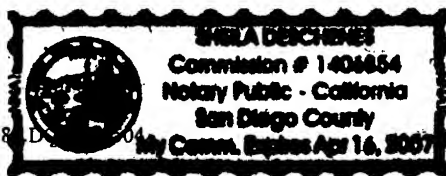
STATE OF CALIFORNIA    }  
                                  }  
COUNTY OF SAN DIEGO   }

ss.

On Oct. 5, 2004, before me, Sheila Deschenes, personally appeared Gregory P. Olmstead personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Sheila Deschenes  
\_\_\_\_\_  
Notary Signature